

COUNTY OF SAN LUIS OBISPO DEPARTMENT OF PLANNING AND BUILDING STAFF REPORT

Promoting the wise use of land Helping build great communities

Tentative Notice of Action

MEETING DATE February 3, 2006 LOCAL EFFECTIVE DATE February 18, 2005

CONTACT/PHONE John McKenzie 781-5452

APPLICANT John & Alaiiz Hough

FILE NO. DRC2004-00252

SUBJECT

Request by John & Alaiiz Hough for a Minor Use Permit to allow for grading and construction of a single-family residence, detached garage, and driveway. The project will result in the disturbance of approximately 31,400 square feet of a 4.4 acre parcel. The proposed project is within the Residential Suburban land use category and is located on the southeast corner of Valle Vista Place and Via Laguna Vista, approximately $rac{1}{4}$ mile northwest of the City of San Luis Obispo. The site is in the San Luis Obispo planning area.

RECOMMENDED ACTION

Approve Minor Use Permit DRC2004-00252 based on the findings listed in Exhibit A and the conditions listed in Exhibit B

ENVIRONMENTAL DETERMINATION

Pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq., a Final EIR was completed on October 8, 2002 for the tract map creating the subject property. The project was found to be consistent with the C.O.G. Partnership Tract Map Final EIR and related conditions of approval.

LAND USE CATEGORY Residential Suburban COMBINING DESIGNATION Geologic Study Area (Earthquake

ASSESSOR PARCEL NUMBER 067,221,031

SUPERVISOR DISTRICT(S) 2

PLANNING AREA STANDARDS:

Highway Design; SLO Urban - Residential Suburban Standard #2

LAND USE ORDINANCE STANDARDS:

Sensitive Resource Area Combining Designation (Sec. 22.14.100)

Geologic Study Area Combining Designation (Sec. 22.14.070)

FINAL ACTION

This tentative decision will become final action on the project, effective on the 15th day following the administrative hearing, or on February 18, 2005, if no hearing was requested unless this decision is changed as a result of information obtained at the hearing or is appealed.

EXISTING USES:

Undeveloped

SURROUNDING LAND USE CATEGORIES AND USES:

Northwest: Residential Rural, scattered residences

Northeast: Residential Suburban, residences under construction, open space Southwest: Residential Rural, Residential Suburban; scattered residences Southeast: Residential Suburban, residences under construction, open space

OTHER AGENCY / ADVISORY GROUP INVOLVEMENT:

The project was referred to: Public Works, Ag Commissioner, CDF, Regional Water Quality Control Board, City of San Luis Obispo

ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242

тородкарну: Gently to steeply sloping topography	VEGETATION: Coastal Valley Grassland, Coastal Scrub, Coast Live Oak Woodland, Riparian Woodland, and Serpentine Rock Outcrops	
PROPOSED SERVICES: Water supply: Community system Sewage Disposal: Individual septic systems	ACCEPTANCE DATE: December 4, 2005	
Fire Protection: CDF		

DISCUSSION

On January 9, 2003, Tract 2270 was approved which created the subject lot. As a part of that process an EIR was prepared. A number of environmental constraints were identified for the subject property, including: active faulting, biological resources, aesthetics, archaeological resources, and wastewater. The Tract Map conditions of approval anticipated future development impacts relating to these issues. Due to some of the potential constraints associated with development of the subject property, a Minor Use Permit was required for future development. The project has been redesigned to conform to these conditions, as discussed in the following sections.

PLANNING AREA STANDARDS: The project is subject to the San Luis Obispo Urban - Residential Suburban Standard #2, which includes eleven standards addressing design and environmental issues, including: subdivision design, allowable density, agricultural buffers, geological resources, water supply, air quality, biological resources, fire safety, wastewater, visual resources, and cultural resources. Of these, the following apply to the subject property: geological resources, air quality, biological resources, fire safety, wastewater, visual resources, and cultural resources. The project includes the following to address these areas of concern:

- On geological resources, all buildings have been required to move outside of the earthquake fault zone, which was established as a part of previous geologists' investigations required as part of Tract approval; certain improvements proposed within these setbacks are designed to not connect with the proposed structures;
- 2. On air quality, standard construction mitigation will mitigate the impacts associated with the proposed residence;
- 3. On biological resources: a plant restoration effort was required of the tract that anticipated the level of proposed development on the subject property (project is within building envelope); no oak trees will be impacted; development is well away from prominent swales; nesting bird survey will be done prior to construction work beginning; temporary erosion control measures will be required to minimize pollution of surface water;
- 4. On fire safety, standard measures as a part of construction will provide adequate mitigation;
- 5. On wastewater, the system was redesigned for seepage pits and will need to provide additional information that Basin Plan requirements can be met; and
- 6. On visual resources, the project: does not exceed the 22-foot height threshold set by the Planning Area Standard; proposes extensive landscaping; and proposes neutral subdued colors.

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LAND USE ORDINANCE STANDARDS – COMBINING DESIGNATIONS. The project is within the following combining designations:

Sensitive Resource Area - the project is within the SRA (above the 200-foot elevation threshold). This designation is intended to protect: the scenic qualities of the Irish Hills, important plant and wildlife habitats, and watershed values. The project includes the following to address these areas of concern:

- 1. On visual resources, the project: does not exceed the 22-foot height threshold set by the Planning Area Standard; proposes extensive landscaping; and proposes neutral subdued colors.
- On biological resources: a plant restoration effort was required of the tract that anticipated the level of proposed development on the subject property (project is within building envelope); no oak trees will be impacted; development is well away from prominent swales; nesting bird survey will be done prior to construction work beginning; temporary erosion control measures will be required to minimize pollution of surface water;
- 3. On watershed, tract improvements were required to avoid an increase of surface water, and provided a drainage system to handle the additional flow of tract development.

Geologic Study - A Geologic Study Area (GSA) is identified on the site at two levels. The lower GSA designates an Earthquake (Alquist-Priolo) Study Zone due to known active seismic hazards. The upper GSA is based on stability concerns relating to either steep slope or the high liquefaction potential of soils during an earthquake. The project includes the following to address these areas of concern: all buildings are conditioned to be outside of the earthquake fault zone, which was established as a part of previous geologists investigation required as part of Tract approval; also, certain improvements proposed within these setbacks are designed to not connect with the proposed buildings.

AGENCY REVIEW – The following agencies were sent referrals:

Public Works-recommend approval; driveway encroachment permit required; questions 15-foot fault setback

City of San Luis Obispo - No concerns

Regional Water Quality Control Board - No response received

Ag Commissioner - No response received

CDF - No response received

LEGAL LOT STATUS:

This lot was legally created by a recorded map at a time when that was a legal method of creating lots.

Staff report prepared by John McKenzie and reviewed by Kami Griffin

EXHIBIT A - FINDINGS

Consistency with Previously Certified EIR

A. The Environmental Coordinator finds that the previously certified Final Environmental Impact Report (FEIR) is adequate for the purposes of compliance with CEQA because no substantial changes are proposed in the project which will require major revision of the previously certified FEIR, no substantial changes occur with respect to the circumstance under which the project is undertaken which will require major revision of the previously certified FEIR, and no new information of substantial importance has been identified which was not known at the time that the previous FEIR was certified.

Minor Use Permit

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because the use is an allowed use and as conditioned is consistent with all of the General Plan policies.
- C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 22 of the County Code.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because it is an allowed use that is similar to all other uses surrounding the property, and does not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the single family home and detached garage is similar to, and will not conflict with, the surrounding lands and uses.
- F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the paved local roads are operating at an LOS A and the estimated 10 trips per day will not have an adverse effect on these roadways
- G. The development will not create significant adverse effects on the natural features of the site or vicinity that were the basis for the Sensitive Resource Area designation, and will preserve and protect such features through the site design, because the project is staying within its previously established building envelope, maintaining a height limit of less than 22 feet, landscape planting is compatible with surrounding native vegetation, and exterior house colors are dark and will blend with the existing environment.
- H. Natural features and topography have been considered in the design and siting of all proposed physical improvements because the project will be avoiding nearby rock outcrops and prominent swales, and proposes development on the flatter portions of the property resulting in limited disturbance.
- I. The proposed clearing of topsoil is the minimum necessary to achieve safe and convenient access and siting of proposed structures, and will not create significant adverse effects on the identified sensitive resource, because: much of the remaining property will remain undisturbed; a plant restoration program is in place to mitigate impacts associated with the proposed disturbance.

EXHIBIT B - CONDITIONS OF APPROVAL

Approved Development

- 1. This approval authorizes:
 - a. Grading and construction of a single-family residence, detached garage, and driveway. The project will result in the disturbance of approximately 31,400 square feet of a 4.4 acre parcel.
 - b. Maximum height is up to 22 feet from average natural grade.

Conditions required to be completed at the time of application for construction permits

Site Development

- 2. At the time of application for construction permits plans submitted shall show all development consistent with the approved conditions, site plan, floor plan, architectural elevations, color board and landscape plan.
- 3. At the time of application for construction permits, the applicant shall provide details on any proposed exterior lighting, if applicable. The details shall include the height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the lamp or the related reflector interior surface is visible from adjacent properties. Light hoods shall be dark colored.

Fire Safety

4. **At the time of application for construction permits,** all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code. Requirements shall include, but not be limited to those outlined in the Fire Safety Plan, prepared by the CDF/County Fire Department for this proposed project.

Services

- 5. At the time of application for construction permits, the applicant shall provide a letter from *Irish Hills Mutual Water Company* stating they are willing and able to service the property for water.
- 6. **At the time of application for construction permits**, the applicant shall submit evidence that a septic system, adequate to serve the proposal, can be installed on the site.

Conditions to be completed prior to issuance of a construction permit

Fees

7. **Prior to issuance of a construction permit**, the applicant shall pay all applicable school and public facilities fees.

Biological Resources

- 8. **Prior to issuance of a construction permit**, the riparian woodland 60-foot buffer zone shall be shown on all applicable grading or construction plans, and prior to commencement of any ground disturbance, this buffer edge shall be demarcated with highly visible construction fencing for the benefit of contractors and equipment operators during construction.
- 9. **Prior to issuance of a construction permit**, all applicable plans shall specify where washing of concrete, paint, or equipment will be allowed. Such activities shall occur only in designated areas where polluted water and materials can be contained for subsequent removal from the site. Washing shall not be allowed within 100 feet of sensitive biological resources.

- 10. **Prior to issuance of a construction permit**, the applicant shall identify the disturbance limits of the lot grading on all applicable plans. Temporary, protective, highly visible fencing shall be installed in a manner to fully protect the sensitive plants or habitats, as identified in the Final EIR. Protective fencing shall remain in place throughout construction activities, and be maintained by construction personnel to ensure proper function. No construction activities, including storage of material or equipment shall be allowed within these sensitive areas. As necessary, signage shall be posted at obvious locations stating that no activity is allowed within these sensitive areas.
- 11. **Prior to issuance of a construction permit**, for individual lot drainage, all runoff water from impervious areas shall be conveyed by conduits via energy dissipaters to existing drainage channels. In addition, drainage shall be consistent with approved drainage plans that include:
 - a. Locations of all proposed pipelines;
 - b. Pipe diameters;
 - c. Locations where the pipe(s) would surface in the creek/drainages;
 - d. Amount of water that would flow from each pipeline; and
 - e. Minimizing impacts to riparian/wetland habitas.
- 12. **Prior to issuance of a construction permit**, individual lot drainage shall integrate to the extent feasible available technologies and techniques to remove pollutants from site runoff prior to entering the drainage courses. Such techniques shall include reduced slope grading, drainage through vegetative zones (e.g., bio-swale) and other options to intercept pollutants being conveyed toward drainage paths. Technological solutions such as gravelly filter blankets or particulate filters (e.g. Fossil Filters) may also be installed as pollutant-removal solutions.

Geology/Soils

- Prior to issuance of a construction permit, a sedimentation and erosion control plan shall be prepared for county approval that minimizes erosion, sedimentation and unstable slopes. This plan shall include the following:
 - a. To minimize erosion on slopes and siltation during grading and construction activities, methods such as retention basins, drainage diversion structures, spot grading, silt fencing/coordinated sediment trapping, straw bales, and sand bags shall be used:
 - Geotextile binding fabrics shall be used if necessary to hold slope soils until sufficient vegetation is established to adequately hold the soil;
 - c. Any remaining exposed areas shall be stabilized to prevent wind and water erosion, using acceptable methods approved by the County, APCD and/or Department of Fish and Game. These methods may include spreading topsoil on the ground surface in areas where soils cannot be easily transported by the wind, and/or the mixing of the highly erosive sand with finer-grained materials (silt or clay) in sufficient quantities to prevent its ability to be transported by wind. As a minimum, six inches of topsoil or silt/clay/sand mixture is to be used to stabilize any wind-erodible soils;
 - d. Where necessary, site preparation shall include the removal of all or a portion of the expansive soils at the building sites and replacement with compacted fill;
 - e. Landscaped areas adjacent to structures shall be graded so that drainage is away from structures;
 - f. Grading on slopes steeper than 5:1 shall be designed to minimize surface water runoff;
 - g. Fills placed on slopes steeper than 5:1 shall be properly benched prior to placement of fill;
 - Brow ditches and/or berms shall be constructed and maintained above all cut and fill slopes, respectively;

- i. Seeks to protect waters of the United States, riparian, and wetland resources downstream of construction activities;
- j. Incorporates erosion control measures to prevent runoff into the on-site drainages, such as using silt fencing, properly-keyed, weed-free straw bales (preferably rice straw), and/or sand bags in conjunction with other effective methods;
- k. Discuss the frequency of sediment removal from any on-site basins and location of spoil disposal. The plan shall specify locations and types of erosion and sediment control structures and materials to be used on-site during construction activities. The plan shall also describe how any and all pollutants originating from construction equipment would be collected and properly disposed.
- 14. **Prior to issuance of a construction permit**, the fault lines, including previously approved/ established 15-foot building setbacks, shall be shown on all applicable construction plans. No buildings shall be located within the fault setback area. All habitable structures within the Earthquake Fault Zone shall comply with all other fault investigation requirements and setbacks as set forth in the Alquist-Priolo Earthquake Fault Zoning Act.
- Prior to issuance of a construction permit, an engineering soils report shall have been prepared for all structures. All report recommendations shall be incorporated into the applicable structure. If any recommendations conflict with project conditions of approval, conditions of approval shall be used. One or more of the following (or comparable measures) would be expected during construction of any future structure or roadway:
 - a. Use of continuous deep footings (i.e., embedment depth of 3 feet or more) and concrete slabs on grade with increased steel reinforcement together with a prewetting and long-term moisture control program within the active zone;
 - b. Removal of the highly expansive material and replacement with non-expansive import fill material;
 - Use of specifically designed drilled pier and grade beam system incorporating a structural concrete slab on grade supported approximately 6 inches above the expansive soils;
 - d. Application of chemical treatment with hydrated lime to reduce the expansion characteristics of the soils.
- Prior to issuance of a construction permit, and prior to site development and grading, an Engineering Geologist or a Soils Engineer shall identify potential surface slumping areas within and adjacent to proposed roadway alignments or residential lots. Underlying soils shall be excavated and recompacted in accordance with the recommendations of a qualified engineering geologist to avoid identified surface slumping areas. Structural foundations shall incorporate any recommendations made where unstable soil conditions exist.
- 17. **Prior to issuance of a construction permit**, an Engineering Geologist or a Soils Engineer shall identify potential landslide risks from any grading activities. All recommended safety features and lot preparation activities shall be incorporated into the project. These measures are to include efforts that incorporate one or more (or equivalent) of the following:
 - a. Avoid the Failure Hazard: Where the potential for slope failure is beyond the acceptable level and not preventable by practical means, the hazard shall be avoided, and structures built sufficiently far away to be unaffected in the event of slope failure.
 - b. Protect the Site from the Failure: If potential slope failure is identified upslope of the project site, and it is determined feasible to protect the site from the runout of failed slope materials with a catchment and/or other protective structures, such structures may be allowed. Diversion methods shall only be employed where the diverted landslide materials will not affect other sites.

- c. Reduce the Hazard to an Acceptable Level: Unstable slopes affecting the project shall be rendered stable (that is, by increasing the factor of safety to > 1.5 for static and > 1.1 for dynamic loads) by eliminating the slope, removing the unstable soil and rock materials, or applying one or more appropriate slope stabilization methods (such as buttress fills, subdrains, soil nailing, crib walls, etc.). For deep-seated slope instability, additional measures besides strengthening the design of the structure (e.g., reinforced foundations) will likely be necessary as determined by the qualified expert.
- 18. **Prior to issuance of a construction permit**, the soils shall be evaluated by an Engineering Geologist or a Soils Engineer for liquefaction potential. Based on this information the qualified expert will determine what, if any, additional measures will need to be incorporated into the design of the structure to meet UBC requirements. All recommendations shall be incorporated into the design and construction.
- 19. **Prior to issuance of a construction permit**, either a previously-prepared geotechnical study (from Tract) shall be used or new geotechnical study shall be prepared for the project site prior to construction permit issuance. This report shall include an analysis of the liquefaction potential of the underlying materials according to the most current liquefaction analysis procedures. If the site is confirmed to be in an area prone to seismically-induced liquefaction, appropriate techniques to minimize liquefaction potential shall be prescribed and implemented. All on-site structures and subgrades shall comply with applicable methods of the Uniform Building Code. If there is high liquefaction on a particular lot, appropriate mitigation is to be included in the structure design prior to issuance of a construction permit.

Suitable measures to reduce liquefaction impacts could include but need not be limited to:

- specialized design of foundations by a structural engineer;
 - -removal or treatment of liquefiable soils to reduce the potential for liquefaction;
 - -drainage to lower the groundwater table to below the level of liquefiable soil;
 - -in-situ densification of soils or other alterations to the ground characteristics; or
 - -other alterations to the ground characteristics.

Noise

- 20. Construction activity for site preparation and development shall be limited to the hours between 7:00 AM and 5:00 PM, Monday through Friday. No construction shall occur on State holidays or weekends. Construction equipment maintenance shall be limited to the same hours. Non-noise generating construction activities, such as interior painting, are not subject to these restrictions.
- 21. **Prior to issuance of a construction permit**, all habitable site structures shall show they contain the following design details:
 - a. Tight-fitting dampers and glass doors for fireplaces, if applicable;
 - b. Solid wood sheathing (minimum ½ inch thick) under roof coverings; and
 - c. No skylights in occupied room ceilings.

Traffic/Circulation

22. **Prior to issuance of a construction permit**, the applicant shall obtain a driveway encroachment permit from the County Public works Department.

Visual

- 23. Per SLO Urban Residential Suburban Standard #2-j, the following visual and aesthetic standards shall apply to the site and included in construction application submittal:
 - a. The design, scale and character of the project architecture shall be compatible with vicinity development.

- b. All building heights on lots within the SRA (above the 200-foot contour) are limited to 22 feet unless specifically approved for 25 feet through the Minor Use Permit process.
- c. Natural building materials and colors compatible with surrounding terrain (earth tones and non-reflective paints) shall be used on exterior surfaces of all structures, including fences (per color board submitted).
- d. Electric, telephone and cable television lines shall be installed underground.

Water

- 24. **Prior to issuance of a construction permit**, the design plan for the proposed residence shall have been prepared by a licensed architect. The plans shall include methods to reduce the use of water in the residences. Indoor water use shall be limited through the following measures:
 - a. All hot water lines shall be insulated;
 - b. Recirculating, point-of-use, or on-demand water heaters shall be installed;
 - c. In addition to Uniform Building Plumbing Code requirements for low-flow fixtures (e.g. 1.6 gallon/flush toilets), low flow plumbing fixtures shall be used;
 - d. Water-efficient clothes washers and dishwashers shall be installed.
- 25. **Prior to issuance of a construction permit**, it will be shown that all landscaping shall adhere to the County's landscaping standards and apply water efficient techniques (Sec. 22.04.182 through 22.04.186). All initial landscaping shall be prepared by a licensed landscape architect. The landscaping design shall incorporate the use of water efficient techniques, including:
 - a. Drought tolerant plants shall be used in landscaping;
 - b. Landscaping shall use drip irrigation;
 - c. Plant material shall be grouped by water needs;
 - d. Turf shall constitute less than 20% of the total landscaped area;
 - e. No turf shall be allowed on slopes over 4%;
 - f. Require appropriate turf types warm season grasses;
 - g. Extensive mulching (2-inch minimum depth) shall be used in all landscaped areas to improve the water holding capacity of the soil by reducing evaporation and compaction;

Also.

h. Plant material used shall be considered non-invasive. If *Olea europa* is used, a non fruit-bearing variety shall be used.

Monitor

26. **Prior to issuance of a construction permit**, the applicant shall provide funding for an environmental monitor for the following conditions of approval to ensure compliance with environmental mitigation measures: 20, 27, 30 through 40, 46 and 47. The environmental monitor shall be under contract to the County of San Luis Obispo. The monitor will prepare a working monitoring plan that reflects the County- approved Mitigation Monitoring Plan. This plan will include (1) goals, responsibilities, authorities, and procedures for verifying compliance with environmental mitigations; (2) lines of communication and reporting methods; (3) daily and weekly reporting of compliance; (4) construction crew training regarding environmental sensitivities; (5) authority to stop work; and (6) action to be taken in the event of non-compliance.

Conditions to be completed during project construction

Archaeology

- 27. **During all earth-disturbing construction**, a county-qualified archaeologist and Native American representative shall monitor all earth-moving activities related to grading within the native soil of this lot with a complete report submitted to the county prior to occupancy/ final inspection.
- 28. In the event archaeological resources are unearthed or discovered during any construction activities, the following standards apply:
 - a. Construction activities shall cease within 50 yards of the discovery, and the Environmental Coordinator and Planning Department shall be notified so that: the extent and location of discovered materials will be recorded by a qualified archaeologist; disposition of artifacts may be accomplished in accordance with state and federal law; and mitigation measures can be implemented, as recommended by the archaeologist;
 - b. In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, construction activities shall cease within 50 yards of the discovery until the County Coroner is notified (in addition to the Planning Department and Environmental Coordinator) to determine that the proper disposition is accomplished. Where the coroner determines the remains to be Native American:
 - 1. The coroner shall notify the Native American Heritage Commission within 24 hours:
 - 2. The Native American Heritage Commission shall identify the person or persons it believes to be most likely descended from the deceased Native American; and
 - 3. The most likely descendent has had the opportunity to work with the landowner or the person responsible for the excavation work, on the means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public resources Code Section 5097.98.

Building Height/Visual

- 29. The maximum height of the project is no more than 22 feet from average natural grade.
 - a. **Prior to any site disturbance**, a licensed surveyor or civil engineer shall stake the lot corners, building corners, and establish average natural grade and set a reference point (benchmark).
 - b. **Prior to approval of the roof nailing inspection**, the applicant shall provide the building inspector with documentation that gives the height reference, the allowable height and the actual height of the structure. This certification shall be prepared by a licensed surveyor or civil engineer.

Biological Resources

30. **During construction,** washing of concrete, paint or equipment shall occur only in areas where polluted water and materials can be contained for later removal from the site. Washing shall not be allowed near sensitive biological resources. An area designated for washing functions shall be identified. All trees located within 25 feet of proposed

buildings shall be protected from stucco or paint during construction.

- 31. **During construction**, no trenching or soil stockpiling shall occur within oak tree canopies/driplines.
- 32. **During construction,** temporary berms and sediment basins shall be constructed prior to other construction or ground disturbing activities and properly placed to avoid siltation into local streams during construction activities.
- 33. **During construction,** the riparian woodland 60-foot buffer zone shall be shown on all applicable grading or construction plans, and prior to commencement of any ground disturbance, this buffer edge shall be demarcated with highly visible construction fencing for the benefit of contractors and equipment operators during construction.
- 34. **Before any grading or construction activities commence**, all personnel associated with the project shall attend a worker education program, administered by the County approved monitor, regarding the rare plant occurrences in the area. The specifics of this program shall include identification of the plant species and their habitat, and careful review of the limits of construction required to reduce impacts to these species. A fact sheet conveying this information shall also be prepared for distribution to all contractors, their employees, and other personnel involved with construction of the project.
- 35. **Before any grading or construction activities commence**, in order to avoid impacts to nesting birds including the ground-nesting birds, or other birds protected under the Migratory Bird Treaty Act, any construction work, including any tree removal, proposed between March 1st and September 15 that is within 500 feet of existing trees shall be preceded (within two weeks of work beginning) by a pre-construction survey for active nests by a qualified biologist. If active nests are located, all potentially disruptive construction work shall be conducted at least 500 feet from the nest until the adults and young are no longer reliant on the nest site, or as determined appropriate from the consulting biologist and the results of the pre-construction survey. The 500-foot line shall be shown on all applicable plans and clearly marked in the field for construction crews to observe.

Geology/Soils

- 36. Grading and drainage plans for this lot shall be designed to minimize erosion and water quality impacts. Plans shall include the following:
 - a. Grading shall be prohibited within 60 feet of the center of the creek of on-site drainages;
 - b. Graded areas shall be revegetated within 30 days of completing grading activities with fast growing, native, drought-tolerant ground cover to minimize slope failure and erosion potential. Geotextile binding fabrics shall be used, if necessary, to hold slope soils until vegetation is established;
 - c. Grading shall be avoided on slopes greater than 30% due to the potential for: geologic stability problems, endangering lands at lower elevations and scarring of hillside landforms;
 - d. Temporary storage of construction equipment shall be no closer than 100 feet of the top of bank of on-site drainages;
 - e. Erosion control structures shall be installed;
 - f. Drainage improvements shall be sized for 100-year events, or of greater intensities.

- 37. For individual lot drainage, all runoff water from impervious areas shall be conveyed by conduits via energy dissipaters to existing drainage channels. In addition, drainage shall be consistent with approved drainage plans that include:
 - a. Locations of all proposed pipelines;
 - b. Pipe diameters;
 - c. Locations where the pipe(s) would surface in the creek/drainages;
 - d. Amount of water that would flow from each pipeline; and
 - e. Minimizing impacts to existing riparian/wetland vegetation.

Conditions to be completed prior to occupancy or final building inspection /establishment of the use

Air Quality

- To reduce air quality impacts, **prior to occupancy**, the project shall show compliance of the following:
 - a. increase walls and attic insulation 10% above Title 24 requirements;
 - b. orient buildings to maximize natural heating and cooling;
 - c. plant deciduous shade trees along southern exposures of buildings to reduce summer cooling needs;
 - d. provide sufficient roof areas with optimum solar orientation to accommodate solar water heater and/or photovoltaic systems;
 - e. use solar water heaters;
 - f. use double-paned windows; and
 - g. Install outdoor electrical outlets.
- 39. **Prior to occupancy or final building inspection,** the following measures shall be implemented for residential development to reduce PM10 emissions during project construction:
 - a. Reduce the amount of the disturbed area where possible;
 - b. Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Water shall be applied as soon as possible whenever wind speeds exceed 15 miles per hour. Reclaimed (non-potable) water should be used whenever possible;
 - c. All dirt-stock-pile areas shall be sprayed daily as needed;
 - d. Permanent dust control measures shall be identified in the approved project revegetation and landscape plans and implemented as soon as possible following completion of any soil disturbing activities;
 - e. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading shall be sown with a fast-germinating native grass seed and watered until vegetation is established;
 - f. All disturbed soil areas not subject to revegetation shall be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;
 - g. All roadways, driveways, sidewalks, etc., to be paved shall be completed as soon as possible. In addition, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used;
 - h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;

- i. All trucks hauling dirt, sand, soil or other loose materials shall be covered or shall maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code (CVC) Section 23114:
- j. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site;
- k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water shall be used where feasible;
- I. Construction workers excavating in areas of serpentine rock shall be required to wear protective face masks;
- m. The project must comply with Government Code Section 93105, which requires an Asbestos Dust Mitigation Plan, that addresses:
 - Track-out prevention and control measures
 - Keeping active storage piles adequately wetted or covered with tarps;
 - Control for disturbed or storage areas that would be inactive for more than 7 days:
 - Control of Onsite Traffic
 - Control of Earthmoving Activities
 - Control for Offsite Transport
 - Post-Construction Stabilization of the Site

Biological Resources

- 40. **Prior to occupancy or final building inspection,** biotechnical erosion controls shall be used in all graded areas adjacent to sensitive portions of the open space parcel(s), where feasible. All cut and fill slopes surrounding the open space areas resulting from grading of the site shall be seeded with native erosion control seed mixes formulated for the specific habitat types identified on the project site. The native erosion control seed mix shall be procured from a seed company specializing in native seed, and applied by individuals knowledgeable of biotechnical erosion control principles.
- Prior to occupancy or final building inspection, the applicant shall provide verification that an open space easement has been secured for all areas outside of the building envelope (areas for access driveways and septic systems may be outside of this envelope where they are installed in a manner that minimizes impacts to sensitive resources). The intent of this easement shall be to protect all remaining sensitive vegetation on this lot.

Fire Safety

- 42. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection and approval from CDF of all required fire/life safety measures.
- Prior to occupancy or final building inspection, per SLO Urban Residential Suburban Standard #B-8, all residences shall be constructed with interior water sprinkler systems, in addition to compliance with the requirements of Land Use Ordinance Sections 22.0.082 et seq.
- 44. **Prior to occupancy of any structure associated with this approval**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.

Planning Department Hearing Minor Use Permit #DRC2004-00252/Hough Page 14

Geology

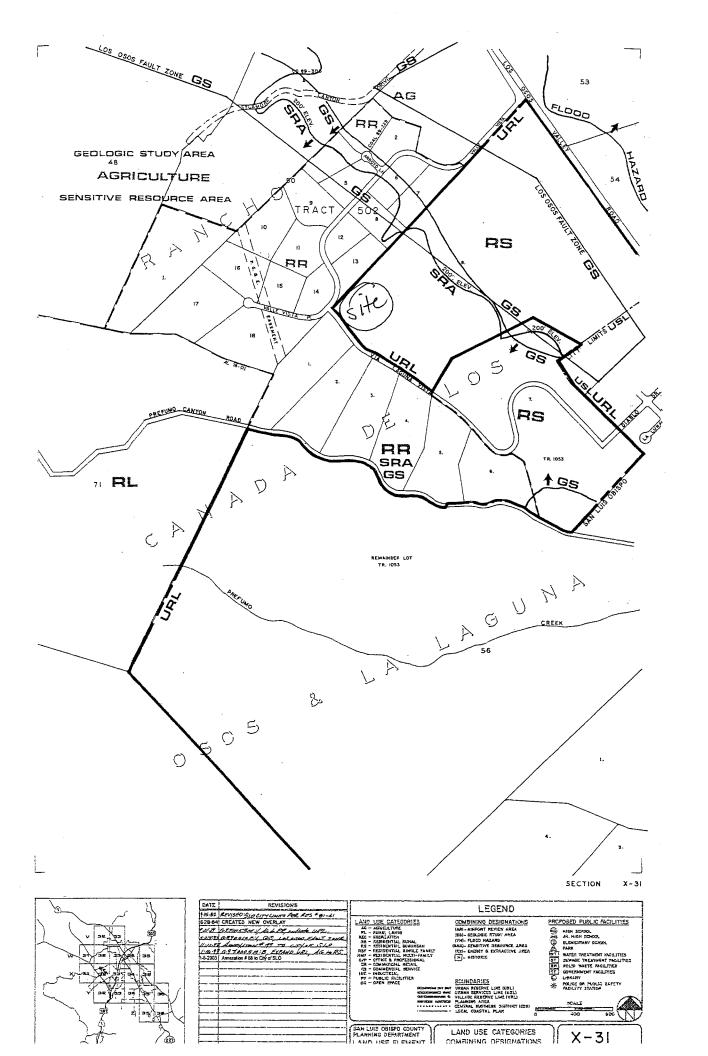
45. **Prior to occupancy or final inspection**, have county-qualified geologist prepare report for county approval to verify that all conditions of approval and geological report measures relating to protection of structures from active fault lines have been properly implemented.

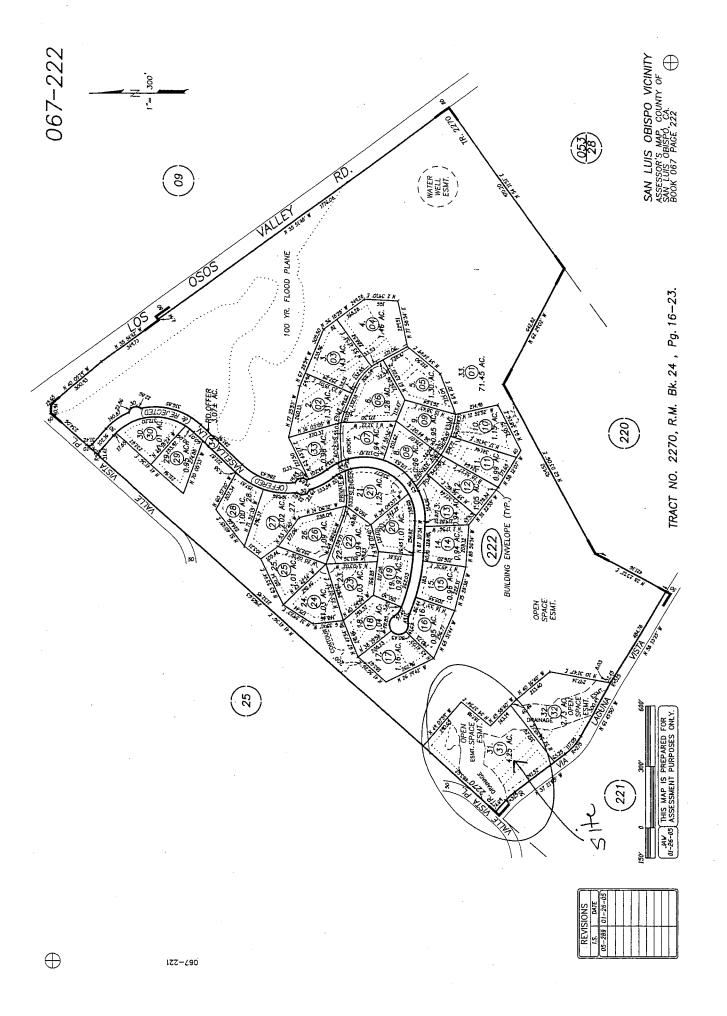
Visual

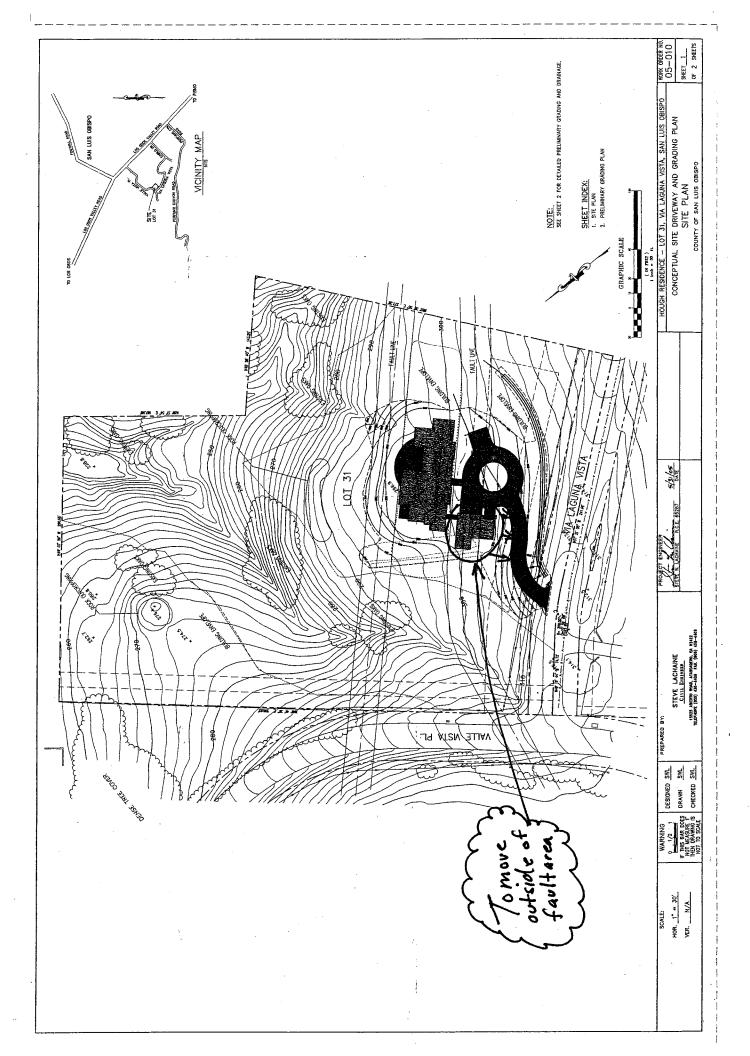
- 46. Landscaping in accordance with the approved landscaping plan shall be installed or bonded for before *final building inspection*. If bonded for, landscaping shall be installed within 60 days after final building inspection. All landscaping shall be maintained in a viable condition in perpetuity.
- 47. **Prior to occupancy or final building inspection**, the developer shall clear the project site of all excess construction debris when completed with construction activities.

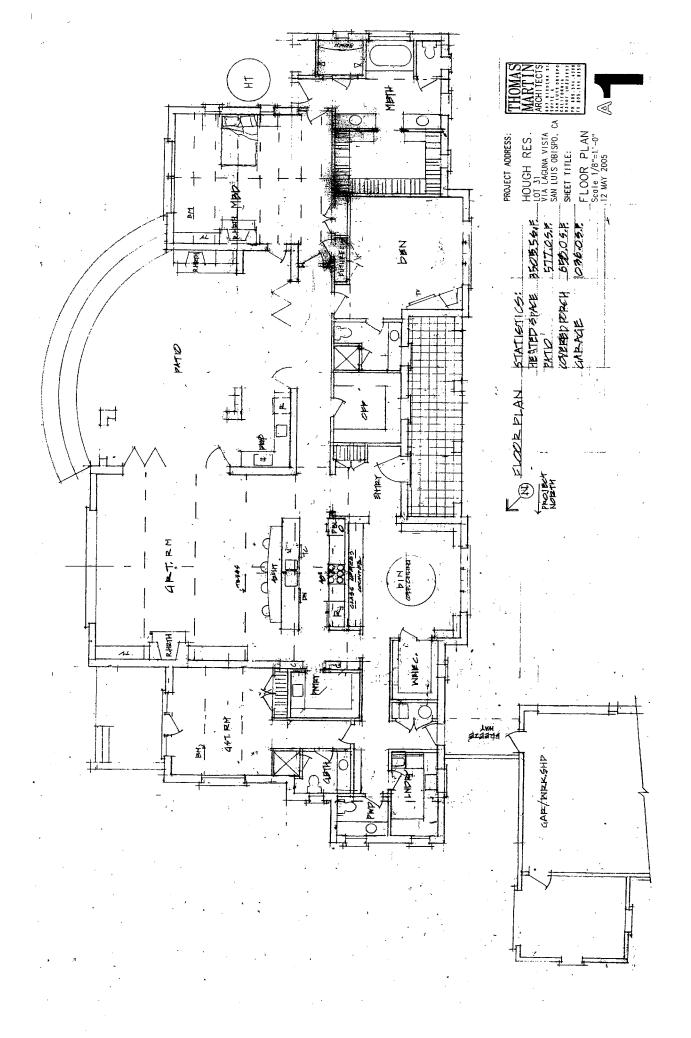
On-going conditions of approval (valid for the life of the project)

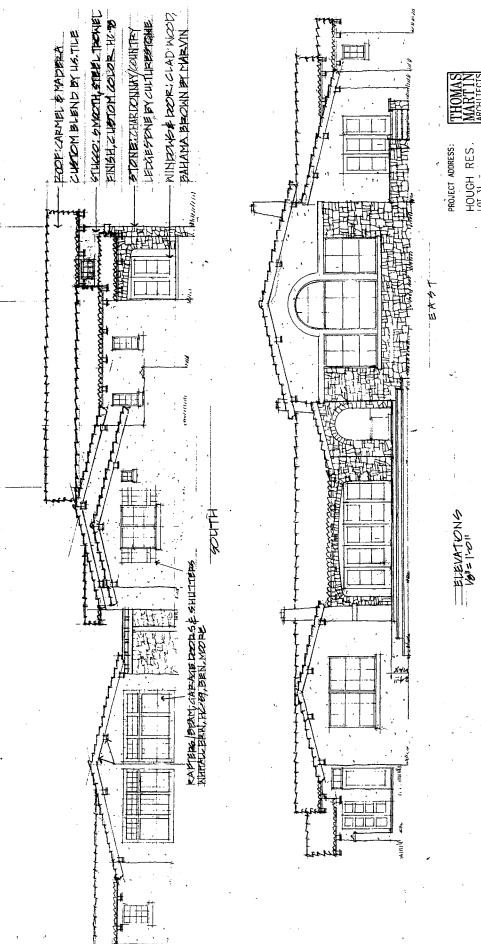
- 48. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 22.64.070 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance Section 22.64.080 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.
- 49. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 22.74.160 of the Land Use Ordinance.
- 50. No onsite regenerative water softeners shall be allowed.
- 51. The list of acceptable landscaping plants for development on this property that is within 100 feet of sensitive habitats is limited to those provided in the Tract's CC&Rs. No plants considered invasive by the county shall be used for any landscaping within the project boundaries.











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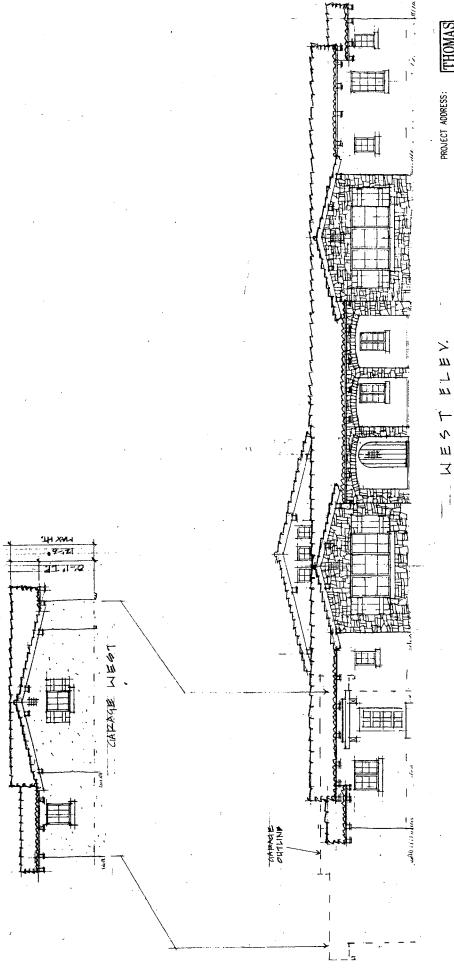
LOT 31 VI ACUNA VISTA

VIA LAGUNA VISTA

SAN LUIS OBISPO, CA

SHEET TITLE:

ELEVATIONS Scale 1/8"=1'-0" 12 MAY 2005



PROJECT ADDRESS:

HOUGH RES.

LOT 31

VIA LAGUNA VISTA
SAN LUIS OBISPO, CA
SHET 117LE:

ELEVATIONS
Scole 1/8"=1"-0"

12 MAY 2005

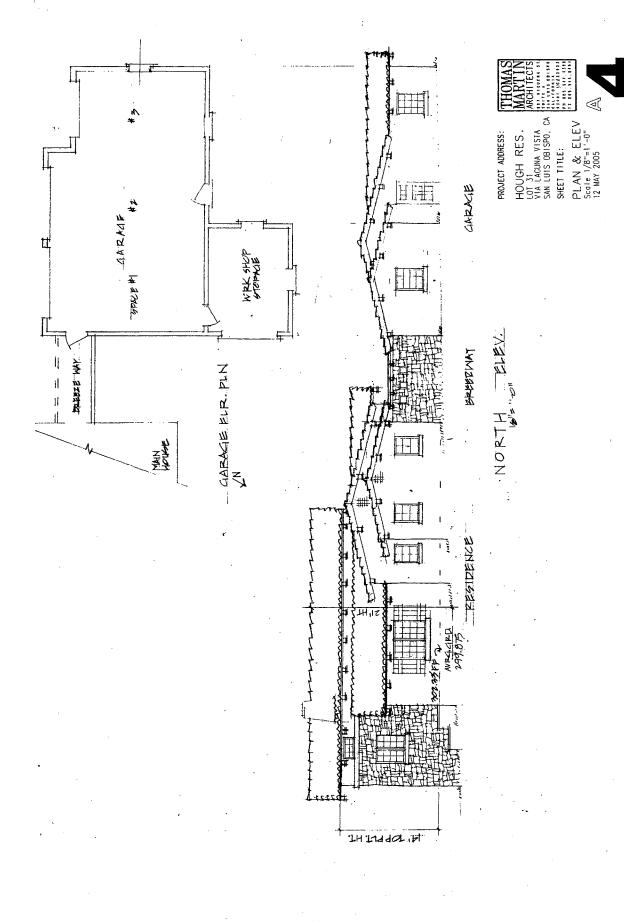




Figure 108-26 - Residential Suburban Category Land Known as Tract 681

2. Site located between Los Osos Valley Road and Via Laguna Vista. The following standards apply to the area shown in Figure 108-27.

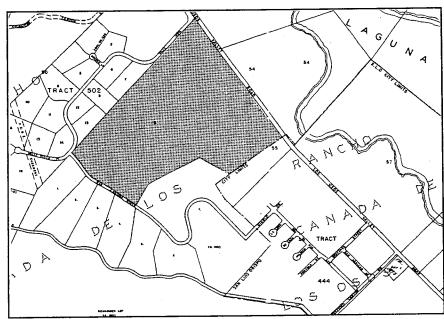


Figure 108-27 - Site located between LOVR and Via Laguna Vista

- a. Subdivision design. Subdivision of the site shall either: 1) be designed in compliance with cluster subdivision requirements of Section 22.22.140, or 2) use cluster subdivision design elements such as clustering of the allowed density in areas where there are less site constraints and use of smaller parcel sizes (one to two acres) and the provision of open space areas.
- b. Allowable density. Maximum allowable residential density shall be no greater than one dwelling unit per 3½ acres. Secondary dwellings are not permitted.
- c. Agricultural buffer. New dwelling units shall be setback at least 200 feet along the westerly property line of the site as shown in Figure 108-26 from Los Osos Valley Road south for a distance of 900 feet, for the purposes of a agricultural buffer. The buffer area may be within an open space parcel and no structures used for human habitation shall be constructed within the buffer area. The buffer shall no longer be in effect if the adjacent agricultural land use designation is changed.
- d. Geologic resources. The recommendations in the Fault Investigation Report (Earth Systems Consultants, March 11, 1998) on file with the Department shall apply to this site.
- e. Water supply. The following water resource standards apply to this site.
 - (1) Water service shall be from an existing mutual or community water system. Each parcel shall have a water meter installed in a location approved by the water purveyor. The meters shall be read no less than once every two months.
 - (2) A Water Conservation Education Program shall be prepared and submitted to the Director for review and approval.
 - (3) A second well, in addition to the existing well (#8), shall be drilled and tested on the property. The well shall be brought into service at a time as determined by the Division of Environmental Health.
- f. Air quality requirements. The following air quality standards apply to this site.
 - (1) A dust control program meeting the standards as set forth in the mitigations contained in the Expanded Initial Study dated August 1998, on file with the Department shall be submitted and approved. The program shall be incorporated into future projects through conditions of approval and/or recordation of an additional map sheet with a Final Map. The program is to be implemented during land division improvement construction, as well as construction of individual residences.
 - (2) To minimize construction-related traffic noise and disturbance, the applicant shall submit a *Construction Traffic Plan* to the Department for review and approval.

- g. Biological requirements. The following biological standards shall apply to the site.
 - (1) The location and extent of driplines for all trees shall be identified. Construction envelopes shall be designated outside the driplines of all oak trees and riparian areas. All ground disturbances including grading for building, accessways, easements, subsurface grading, sewage disposal and well placement shall be prohibited outside construction envelopes.
 - (2) All oak trees within 25 feet of proposed ground disturbances shall be temporarily fenced with chain-link or other material throughout all grading and construction activities. The fencing shall be installed six feet outside the dripline of each oak tree, and shall be staked every six feet. No construction equipment shall be staged, parked, stored or operated within six feet of any oak tree dripline.
 - (3) During construction, washing of concrete, paint or equipment shall occur only in areas where polluted water and materials can be contained for later removal from the site. Washing shall not be allowed near sensitive biological resources. An area designated for washing functions shall be identified. All trees located within 25 feet of proposed buildings shall be protected from stucco or paint during construction.
 - (4) Paving shall be pervious material where access roads or driveways encroach within 20 feet of an oak trees dripline. No permanent irrigation shall occur within the dripline of any existing oak tree.
 - (5) No fill soil, rocks, or construction materials shall be stored or placed within six feet of the dripline of all oak trees. Any trenching required within the dripline or sensitive root zone of any oak tree shall be done by hand. Any construction activity required within three feet of an oak trees dripline shall be completed with hand tools.
 - (6) The standards in Subsections g(1) through g(5) shall be noted and shown on all grading and building plans, as well as an additional map sheet recorded with any Final Map in order to describe the activities prohibited outside the approved envelopes.
 - (7) Any unanticipated damage that occurs to trees or sensitive habitats resulting from construction activities shall be mitigated in a manner approved by the Director. This mitigation may include, but is not limited to, posting of a performance security, tree replacement and hiring of an outside consultant biologist to assess the damage and recommend mitigation. The required mitigation shall be done immediately unless otherwise authorized by the Director. Any performance securities required for installation and maintenance of replacement trees will be released after its inspection and approval of such installation.

- (8) Prior to recordation of a Final Map for a land division on the property, the developer shall submit a riparian habitat restoration and enhancement plan for review and approval.
- h. Fire safety requirements. All residences shall be constructed with interior water sprinkler systems, in addition to compliance with the requirements of Chapter 22.50 (Fire Safety).
- i. Wastewater disposal requirements. The following wastewater standards shall apply to the site and shall be completed prior to recordation of a Final Map for any land division.
 - (1) A comprehensive percolation testing report shall be submitted for review and approval by the San Luis Obispo County Public Health Department. The report shall provide all information regarding soil conditions that are required to evaluate and determine the suitability of soils to support installation of a septic system.
 - (2) A Septic System Maintenance and Monitoring Program shall be prepared and approved. The program shall contain procedures for periodic inspection of septic systems installed on individual parcels to assure proper functioning of each system.
- **j. Visual standards.** The following visual and aesthetic standards shall apply to the site.
 - (1) The design, scale and character of the project architecture shall be compatible with vicinity development.
 - (2) All building heights on lots within the SRA (above the 200-foot contour) are limited to 22 feet unless specifically approved for 25 feet through the Minor Use Permit process. All building heights for lots located below the SRA are limited to 28 feet.
 - (3) Natural building materials and colors compatible with surrounding terrain (earth tones and non-reflective paints) shall be used on exterior surfaces of all structures, including fences.
 - (4) Electric, telephone and cable television lines shall be installed underground.
 - (5) A landscape screening plan for an open space parcel associated with a cluster subdivision shall be submitted to the Department prior to recordation of a Final Map for any land division. Landscaping shall be installed or bonded for before a Final Map is recorded for a land division. The developer or homeowners association shall maintain the landscaping in perpetuity.

- **k.** Cultural resource requirements. The following cultural resource standards shall apply to the site.
 - (1) Known archaeological sites shall be designated as unbuildable areas. The areas shall not be identified as archaeological sites on any plans, maps or recorded documents A buffer of 150 feet from the sites identified as cultural resources sites shall be established.
 - (2) In the event any grading is proposed within the buffer, archaeological monitoring shall accompany the grading. Such grading will be preceded by a pre-construction workshop for contractors concerning the nature of cultural resources, protection of such resources under CEQA, procedures for accidental discovery and scheduling for monitoring during such grading.
 - (3) Any trails developed in connection with a project or land division, they shall be designed and constructed in a manner and location such that they do not come within the buffer zones wherever possible. In the event any trail or construction of trails is proposed within the buffer, the applicant shall employ a qualified archaeologist to either monitor the application of a fill soil cap to protect the archaeological site areas, or conduct additional field work to identify, catalogue and store any resources which may be found.
 - (4) In the event archaeological remains are encountered during grading, work shall be stopped immediately or redirected until a qualified archaeologist and Native American representative, approved in advance by the Department, are retained by the applicant to evaluate the significant of the find. If remains are found to be significant, they shall be subject to a Phase 3 mitigation program funded by the applicant. This condition shall be printed on all building and grading plans.



DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP DIRECTOR

OBISPO.	THIS IS A NEW PROJECT REFERRAL
DATE:	5/13/05 SID MAN
ro:	Alban
FROM:	South Co. Team (Please direct response to the above) Tay Johnson DRC 2004-00244 Project Name and Number *OR ASK THE SWITCH-
	Development Review Section (Phone: 788-2009) (BOARD FOR THE PLANNER)
Locate	ESCRIPTION: Site Plan -> 2 farm support quarter 8.
HPM:	591-081-092 50010.
Return this lett	ter with your comments attached no later than: 5/28/05
<u>PART I</u>	IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW? YES NO
PART II	ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW? NO (Please go on to Part III) YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)
PART III	INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE O COMMENT
6/7/	Name 78/-21/6
Date	Revised 4/4/03

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. WFRSITE: http://www.slocoplanbldg.com

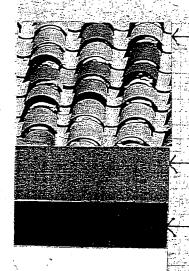


San Luis Obispo County

DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP DIRECTOR

	THIS IS A NEW	PROJECT REFERRAL	
DATE:	6/1/05	and the second s	
POM	- PW	- Val	le Vista
FROM	South (o. Team) (Please direct response to the above)	Project Nam	2004-00252 e and Number
	Development Review Section (Phone:	788-2009	*OR ASK THE SWITCH- (BOARD FOR THE PLANNER)
المراز المحاصير	ESCRIPTION: MUP -> ED DO 4.4 A Cres of Guna Vista in SLO DO 3,505 S.F. Ed ter with your comments attached no later to the STHE ATTACHED INFORMATION	1	Place of Pla
PART II	YES NO ARE THERE SIGNIFICANT CONCER		
IAKIH	REVIEW? NO (Please go on to YES (Please describe reduce the impa	o Part III) e impacts, along with recomn acts to less-than-significant le	nended mitigation measures to evels, and attach to this letter.)
PART III	INDICATE YOUR RECOMMENDA approval you recommend to be inc recommending denial. IF YOU HAV	ornorated into the projec	t's approval, or state reasons to
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HOUGH RESIDENCE VIA LAZUNA VISTA